

REMARKS

None of the claims have been amended herein. New claims 9-15 have been added.

Claims 7 and 8 are allowed and dependent claims 2, 3 and 5 contain allowable subject matter.

Claims 1-15 are now pending. Reconsideration of claims 1-15 is respectfully requested.

I. OBJECTION OF CLAIMS 2, 3 AND 5:

It is respectfully submitted that dependent claims 2, 3 and 5 overcome this objection based upon the remarks related to independent claim 1 mentioned below.

II. REJECTION OF CLAIMS 1 AND 6 UNDER § 102(b) AS BEING ANTICIPATED BY MASAMICHI (JP04098387):

The present invention as recited in claim 1, for example, relates to a theft-prevention ink pack device. The theft-prevention ink pack device comprises an ink pack, a spring that urges the ink pack and a knife edge to close in on each other and applies pressure to the ink pack. The theft-prevention ink pack device, as recited in claim 1, further comprises the knife edge that tears the ink pack and an engaging structure that is engaged to support a state in which the ink pack and the knife edge are spaced apart from each other, and is disengaged when an outer force is applied. The ink pack and the knife edge close in on each other by means of a spring force of the spring when the engaging structure is disengaged so that the ink pack is torn by the knife edge, and the ink pack is pressured, resulting in the ink shooting out from the ink spout.

The present invention as recited in claim 6, for example, relates to a treasure safe. The treasure safe comprising a box main body in which the theft-prevention ink pack device as claimed in claim 1 is implemented, a door that opens by being rotated, and a locking device that locks the door and is unlocked upon opening the door. The treasure safe further comprises a connecting structure that connects the door to the theft-prevention ink pack device, and a disconnecting structure for disconnecting the connection made by the connecting structure when the locking device is unlocked.

FIGS. 1 and 2 of Masamichi appear to disclose a cash box whereby theft is prevented by automatically performing a fouling process on money stored in the cash box when someone attempts to steal the money (see Abstract). Specifically, the cash box includes a projecting piece restrained by a lock rod and when an outside force is applied strong enough to fracture a weak part of a restraint pin, a parallel part is released and an oscillation rod thereof is turned by the elasticity of a spring and a needle rod pierces an ink bag so that the ink is spouting out from the inside at a stork to instantly foul the money.

It is respectfully submitted that Masamichi does not appear teach or suggest "a spring that urges the ink pack and a knife edge to close in on each other and applies pressure to the ink pack," as recited in claim 1. Nor does Masamichi appear to teach or suggest a treasure safe comprising "the theft-prevention ink pack as claimed in claim 1," as recited in claim 6.

As the Examiner is aware, Masamichi, except for the Abstract, is in Japanese language, and courts have held that reliance on an Abstract of the cited foreign language reference to both disclose all the claimed features and the purported motivation or suggestion for a combination is improper. (See Ex parte Gavin, 62 USPQ 2d 1680, 1683 (BPAI 2001), which states, in part, "generally an abstract does not provide enough information to permit an objective evaluation of the validity of what it describes...It is our opinion that a proper examination under 37 CFR §1.104 should be based on the underlying documents and translations, where needed.") Since a proper understanding of what each reference discloses can only be found through a translation of each reference, for example, whether any embodiments of Masamichi disclose the spring force being applied to the ink pack. The Applicants' respectfully request a translation of Masamichi be provided in any future Office Action relying on the same. Accordingly, withdrawal of the rejection of claims 1 and 6 in view of Masamichi is respectfully requested.

III. REJECTION OF CLAIM 4 UNDER § 103(a) AS BEING UNPATENTABLE OVER MASAMICHI:

As mentioned above, Masamichi does not appear to disclose all of the features as recited in claim 1 from which claim 4 depends. In addition, Masamichi fails to establish a prima facie case of obviousness. Therefore, it is respectfully submitted that this rejection is overcome.

IV. CONCLUSION:

In view of the foregoing amendments and remarks, it is respectfully submitted that each of the claims patentably distinguishes over the prior art, and therefore, defines allowable subject matter. A prompt and favorable reconsideration of the rejection along with an indication of allowability of all pending claims are therefore respectfully requested.

If there are any additional fees associated with filing of this Amendment, please charge the same to our Deposit Account No. 19-3935.

Respectfully submitted,

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